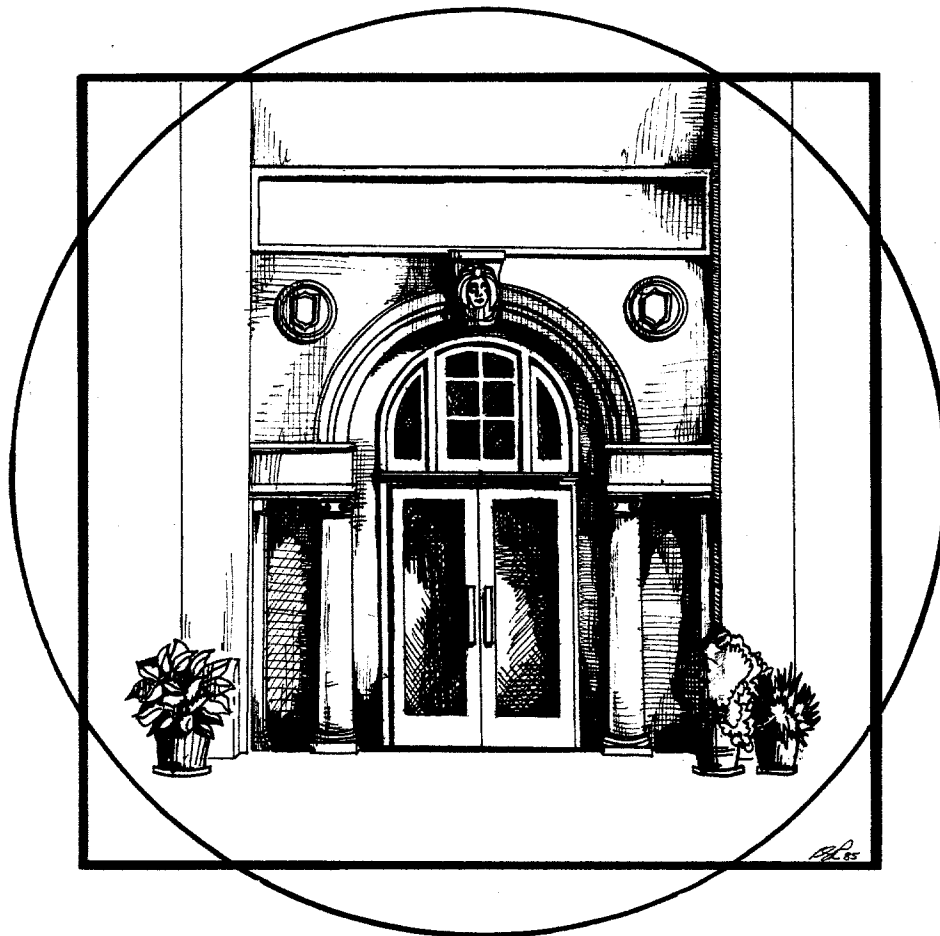


**ESPANOLA WAY**  
**HISTORIC PRESERVATION DISTRICT**  
**DESIGNATION REPORT**



**CITY OF MIAMI BEACH PLANNING DEPARTMENT**

**MARCH 1986**

**ESPANOLA WAY HISTORIC DISTRICT**

**DESIGNATION REPORT**

**CONTENTS**

I.	REQUEST.....	1
II.	DESIGNATION PROCESS.....	1
III.	PLANNING DEPARTMENT ANALYSIS	
1.	GENERAL INFORMATION.....	2
2.	SIGNIFICANCE	
A.	HISTORICAL.....	3
B.	ARCHITECTURAL.....	5
3.	RELATION TO ORDINANCE CRITERIA.....	6
4.	PLANNING CONTEXT	
A.	PRESENT TRENDS AND CONDITIONS.....	8
B.	CONSERVATION OBJECTIVES.....	10
IV.	PLANNING DEPARTMENT RECOMMENDATIONS	
1.	DISTRICT BOUNDARIES.....	10
2.	REVIEW STANDARDS.....	11
V.	REFERENCES	
1.	FOOTNOTES.....	12
2.	BIBLIOGRAPHY.....	13
VI.	APPENDIX	
1.	LEGAL DESCRIPTION.....	14
VII.	EXHIBITS	
1.	DISTRICT BOUNDARIES.....	15
2.	CONTRIBUTING BUILDINGS.....	16

## **I. REQUEST**

At its February 6, 1986 meeting, the Miami Beach Historic Preservation Board voted (7-0) to nominate all properties abutting Espanola Way, including those four lots on Jefferson Avenue (private street) at the western terminus of Espanola Way for Historic Preservation District Designation. (See Appendix and Exhibits I and II for a legal description and map of the nominated district.)

The next step in the designation process was the preparation of a preliminary evaluation to determine the nominated district's general conformance with the criteria for designation listed in Section 22-5(B) of the Zoning Ordinance.

The Historic Preservation Board reviewed the preliminary evaluation at its March 6, 1986 meeting and directed staff to proceed with the preparation of this designation report.

## **II. DESIGNATION PROCESS**

The process of historic designation is delineated in Section 22-5(A) of the Miami Beach Zoning Ordinance. An outline of this process is provided below:

Step One: A request for designation is made either by the Historic Preservation Board, other agencies and organizations as listed in the Ordinance, or the property owners involved.

Step Two: The Planning Department prepares a preliminary evaluation and recommendation for consideration by the Board.

Step Three: The Historic Preservation Board reviews the evaluation to determine compliance with the criteria for designation and then votes to direct the Planning Department to prepare a designation report.

The designation report is a complete historical and architectural analysis of the proposed district or site. The report 1) serves as the basis for a recommendation for nomination by the Board; 2) describes review guidelines to be utilized by the Board when a Certificate of Appropriateness is requested; and 3) will also serve as an attachment to the Zoning Ordinance creating the new zoning district.

Step Four: The designation report is presented to the Board at a public hearing during a regularly scheduled meeting. If the Board determines that the proposed designation meets the intent and criteria set forth in the Ordinance, they transmit a recommendation to the Planning Board.

Step Five: The Planning Board processes the proposed designation as a Zoning Ordinance amendment.

As such, the Planning Board will hold a public hearing on the proposed designation and, subsequently, transmit its recommendation to the City Commission.

Step Six: The City Commission may, after two (2) public hearings, adopt the amendment to the Zoning Ordinance, which thereby designates the Historic Preservation District (or site).

### **III. PLANNING DEPARTMENT ANALYSIS**

#### **I. GENERAL INFORMATION**

Location: All properties fronting on or abutting Espanola Way from Collins Avenue on the east, to and including lots 1-4 on the west side of Jefferson Avenue (private street) on the west.

For detailed area, see attached map and legal description (Appendix I and Exhibits I & II)

Present Owners: Multiple owners, a complete list is available from the Miami Beach Planning Department.

Present Use: Land Use on Espanola Way reflects the transition from the retail/commercial corridors of Collins and Washington Avenues on the east with the residential blocks near and abutting Flamingo Park on the west.

Espanola Way, as a result, becomes increasingly residential as one moves westward, from the entirely commercial block between Collins and Washington Avenues, through the Commercial/Residential Mixed-Use blocks of the Spanish Village, to the single-family style neighborhood between Meridian and Jefferson Avenues at the street's western terminus.

Additionally, the Ida M. Fisher School site and the Jewish Community Center form a transitional institutional use between the semi-commercial and single-family residential on Espanola Way.

Present Zoning: Espanola Way is equally divided between the following:

C-5: General Business

RM-60: Multiple family, medium density

**2. STATEMENT OF SIGNIFICANCE**

- A. Historic Information - Espanola Way sits on land which formed the northern boundary of Ocean Beach, the first recorded plat in what was to become Miami Beach, as recorded by the pioneer Lummus Brothers' Ocean Beach Realty Company in 1912. The street was built by Francis F. Whitman in 1922 as "Whitman's Spanish Colony." The undeveloped land consisting of 20 corner lots and 40 inside lots was purchased by N.B.T. Roney and the Spanish Village Corporation in 1925 at the peak of the first great Florida land boom. Roney, one of the most prolific builders in early Miami Beach envisioned creating an artists' colony... "where artists and lovers of the artistic might congregate amid congenial surroundings."<sup>1</sup> The idea of such a bohemian village was first suggested to Mr. Roney by former New Yorkers who mentioned that Miami Beach lacked an area with a creative atmosphere for artists as one would find in New York's Greenwich Village, or the artists' quarter in Paris.

Roney and his architect, Robert A. Taylor, with financial backing from Francis Whitman, chose to duplicate a miniature Spanish Village "a Latin Greenwich Village of... fiestas and song, mantillas and lace."<sup>2</sup> Spanish architecture was used throughout, both to enhance the appeal and atmosphere of a village, and because it was predicted that "the predominating architectural note in Southern Florida will eventually be if not already, in the Spanish design."<sup>3</sup>

Taylor modeled the Spanish Village after San Sebastian and Fontarable on the coast of Spain, as well as Biarritz, Cannes, and Mentone in France. The project consisted of one block of development between Washington and Drexel Avenues, spilling across to include the western corners of Drexel Avenue as well. Construction totalled 16 buildings including two fifty-room hotels, apartment buildings and shops, and cost an estimated \$1,500,000. The Donathan Building Company constructed the hotels, while the J.C. Gaffney Company erected the apartment buildings.

Shops present on the street during the 1920's included purveyors of antique jewelry, rare books, fine clothes, painting, furniture and decorative arts "of the period of the Spanish Don",<sup>4</sup> as well as ladies dress and hat shops where merchandise, it was touted, was "aimed to set the style for Paris, rather than to imitate it."<sup>5</sup> Restaurants and tea houses were available to satisfy most tastes, including, in addition to the expected Spanish, those serving English, French, and Chinese cuisine.

In 1930, William Whitman independently developed four single-family homes fronting on Jefferson Avenue at the western terminus of Espanola Way, at

a cost of \$5,000 each. This second planned development was also in the Spanish style.

The Millco Investment Company built all but three of the homes in the single family residential neighborhood between Meridian and Jefferson Avenues in 1935 and 1936. L. Murray Dixon and Harry O. Nelson were the predominant architects, and the style, a transitional mix between Spanish and the emerging Art Deco.

The remainder of Espanola Way's development was concentrated in the period 1933-1940, following recovery from the devastating 1926 hurricane and ensuing Great Depression, and before the onset of World War II. A number of prominent local architects participated in the street's creation, in the then dominant Art Deco and Streamline Moderne architectural styles. Among these are Henry Hohauser (1444 and 1450 Collins Avenue, and 724 and 735 Espanola Way), L. Murray Dixon (525 and 531 Espanola Way, 1436 Pennsylvania Avenue, and 1435 Meridian Avenue), Roy F. France (1440 Euclid Avenue), and Carlos Schoepel (446 Espanola Way). R.A. Taylor, architect of the Spanish Village, designed 1440 Pennsylvania Avenue for himself as a residence and studio.

Espanola Way elicited great expectations. "The Spanish Village of Miami Beach is destined to become a famous place among the artists and intellectuals of the nation" raved the Miami News in 1925 <sup>6</sup>. But artists and their associates never seemed to adopt the street, with its carnival atmosphere as their own. Rather, the Spanish Village attracted a more raucous crowd, who would dance at block parties in the roped off streets, frequent bookies and bootleggers, witness the infamous Al Capone or attend the Port of the Missing Men, a popular nightspot.

By the late 1930's, however, "the street had begun its seedy slide."<sup>7</sup> Bookies, winos, and prostitutes now called the street home. The infamous S & G Gambling Syndicate is reputed to have been created and run from Espanola Way until its demise in the 1950's.

As throughout Miami Beach, the hotels on Espanola Way housed soldiers training here during World War II. After the war, the Spanish Village briefly revived its tarnished image, as dance studios cropped up along the street to spread the rhumba craze, said to originate there. Espanola Way, at that time, was known as "The Rhumba Capital of the World", perhaps the last time the street produced anything near the bohemian atmosphere Mr. Roney envisioned.

- B. Architectural - The architecture on Espanola Way is an outstanding example of the close relationship between setting and style. Development on the street responded to small lot size and narrowness of right-of-way with maximum lot coverage and enhanced pedestrian amenities.

Given the confines of the site, its sub-tropical locale, and the Spanish Village's intended use, the Mediterranean-Revival style was a logical choice for the street's original development for several reasons. First, not only was the Spanish idiom the most expressive of the village atmosphere Roney sought, it was also the prevailing architectural style of the 1920's - the period of the first great Florida land boom - a style whose popularity, it was believed, would soon dominate the southern portion of the state. Additionally, the Mediterranean style deftly responded to the sub-tropical climate with large overhangs, covered galleries, maximum ventilation and light, thick stuccoed walls and generous use of native materials. While not being a pure re-creation of any particular style, Mediterranean Revival combined "elements common to Spanish, Moroccan, Italian, and French architecture...to create a fantasy image."<sup>8</sup>

All buildings in the Spanish Village are remarkable for their authentic reproduction of the Mediterranean style, including the Clay Hotel (briefly renamed the Martha Washington), the Village Hotel (now the Cameo Hotel), the Grace Hotel, the Barcelona Hotel (now the Sinclair Hotel) and the Matanzas Hotel. The concentration, alignment and design of these buildings and the narrowness of the street all combine to create a realistic impression of a Mediterranean Village.

The combination of a devastating hurricane in 1926 and the Great Depression of 1929 put a halt to the seemingly endless and luxurious development on Miami Beach, and marked a major change in the City's tourist business as well. "The emphasis shifted from a luxury market to a more middle class market, with corresponding changes in architectural style."<sup>9</sup> The elaborate Mediterranean Revival style, while both environmentally appropriate and stylistically accomplished, was simply too costly to continue to serve the now working and middle class tourists.

The contemporary architecture of the 1930's, the related Art Deco and Streamline Moderne movements, became the dominant style for future construction, both on Espanola Way, and around the City. Both are rooted in, and expressive of the machine aesthetic. "The Art Deco style incorporated classical themes (Egyptian, Mayan, Ancient Greek, and Roman) in a thoroughly modern context. Common elements of the early Art Deco style are a strong, unbroken verticality, angular forms, ornamentation in relief (particularly themes abstracted from nature) and symmetry of fenestration. Examples of the Art Deco style on Espanola Way include Henry Hohauser's Allen Apartments of 1936 (611 Espanola Way),

and the Chester Apartments (1435 Meridian Avenue) designed in 1937 by L. Murray Dixon.

In the later Streamline buildings, the forms are rounded and simplified similar to the aerodynamic design of transportation vehicles of that time. There is a simplification of ornamentation in the form of raised or incised banding (called racing stripes) which takes the place of elaborate friezes seen on earlier buildings. The Streamline buildings, while still possessing a strong vertical emphasis utilize more horizontal elements in their design, such as Henry Hohauser's Hoffmans Cafeteria of 1940 (1450 Collins Avenue), and the Penway Apartments at 1443 Pennsylvania Avenue (Nadel, 1939).

### 3. RELATION TO ORDINANCE CRITERIA

In accordance with Section 22-5(B) of the Zoning Ordinance, eligibility for designation is determined on the basis of compliance with listed criteria. There are two levels of criteria. The primary category is Mandatory Criteria, required of all sites and districts, and consisting of integrity of location, design, setting, materials, workmanship, and association. At the second level, Review Criteria, compliance with at least one (1) of several listed criteria is required. The Espanola Way Historic District is eligible for designation as it meets all mandatory and most review criteria as outlined below.

#### A. Mandatory Criteria

Integrity of location, design, setting, materials, workmanship, and association.

Based upon our preliminary analysis, staff finds the nominated district to be in conformance with the mandatory criteria for the following reasons:

1. The nominated district is located entirely within the National Register Architectural District and forms an important east-west pedestrian route between Flamingo Park and the interior district properties with the oceanfront.
2. Repetition of familiar Mediterranean-inspired architectural elements such as archways, towers, quoins, pilasters and bracketed balconies produce a strong coherence and integrity of design.
3. Narrowness of the right-of-way, consistency of scale and setbacks, courtyards and pedestrian orientation all produce a setting which, in combination with the building styles, reinforces the development concept of a Spanish village.



4. Use of barrel tile, wrought iron, relief-work, decorative Spanish tile and heavy masonry walls give the impression of age and solidity, and are highly evocative of a Mediterranean Village.
5. Creation of the Spanish Village particularly, and of Espanola Way generally, required the talents of some of the area's finest architects, and the embellished facades and attention to detail are evidence of the quality of workmanship of the craftsmen and artisans involved.
6. The Spanish Village was developed by N.B.T. Roney, one of the most prolific developers in early Miami Beach, and his Spanish Village Corporation in 1925. Designed by R.A. Taylor, Roney envisioned the project as a bohemian artist's colony. In addition, the talents of some of the best known local architects were employed on the remainder of Espanola Way's properties, including Henry Hohouser, Roy F. France, and L. Murray Dixon.

B. Review Criteria

Based upon a preliminary analysis, staff finds the nominated district in conformance with the following review criteria:

1. Association with events that have made a significant contribution to the broad patterns of our history:

Espanola Way served as the northern boundary for Ocean Beach, the forerunner of present-day Miami Beach, platted by the pioneer Lummus brothers as the first recorded subdivision in 1912. As one of the first large-scale, authentic Mediterranean Revival development in the city, the Spanish Village demonstrated the architectural style's suitability for sub-tropical living, and served in popularizing it as the dominate stylistic expression of the 1920's.

2. Association with the lives of persons significant in our past:

Espanola Way was the product of the collaboration of financier William F. Whitman and developer N.B.T. Roney, both early and influential participants in the development of Miami Beach. Roney in particular was widely known for both the Spanish Village and the near simultaneous creation of the oceanfront Roney Plaza Hotel, touted as Florida's greatest hotel achievement. In addition, a number of outstanding local architects

participated in Espanola Way's development, including Henry Hohausser, L. Murray Dixon, Carlos Schoeppel, and Spanish Village designer R.A. Taylor who also designed and maintained a house/studio on the street.

3. Embody the distinctive characteristics of a type, period, or method of construction:

The nominated district contains a high concentration of early Mediterranean Revival Architecture. Also present are examples of the Art Deco/Moderne style, as well as several transitional buildings (those containing elements of both styles).

5. Represent the work of a master:

In addition to the Spanish Village design by architect R.A. Taylor, the works of several other local master architects are represented in the nominated district, including those of Henry Hohouser (1444 and 1450 Collins Avenue, and 724 and 735 Espanola Way), Roy F. France (1440 Euclid Avenue), L. Murray Dixon (525 and 531 Espanola Way, 1436 Pennsylvania Avenue, and 1435 Michigan Avenue) and Carlos Schoeppel (446 Espanola Way).

#### 4. PLANNING CONTEXT

- A. Present Trends and Conditions - Although Espanola Way is a relatively short street, it is comprised of four functional subsections, each with a distinct, recognizable character.

1. Collins to Washington Avenue - This block is purely commercial and forms an important link between Espanola Way, the commercial corridors of Collins and Washington Avenues, and via 14th Lane, Ocean Drive and the Atlantic Ocean. Two fine Streamline Modern Buildings, Hoffman's Cafeteria (briefly the Warsaw Ballroom) at 1450 Collins Avenue, and 1444 Collins - designed to accommodate ten shops (both by architect, Henry Hohausser, 1940) form a distinctive entry to Espanola Way.
2. The Spanish Village from Washington Avenue to (and including) the western corners of Drexel Avenue - Though the space, particularly retail, may be considered under-utilized, the Spanish Village retains much of the appeal, color and activity N.B.T. Roney envisioned on the street in 1925, and remains the

primary force of Espanola Way, and the critical element in the revitalization of the street.

3. Drexel Avenue to Meridian Avenue (excluding those structures included in the Spanish Village - Primarily residential in character, and heavily influenced by the public schools and other institutional uses in the area, this sub-section enjoys lower density and more open space than found elsewhere on Espanola Way. Fine examples of Mediterranean Revival architecture are present, continuing the visual interest of the architectural style westward from the Spanish Village. Among them are the Lucile Court Apartments, (L. Murray Dixon, 1933) at 525-31 Espanola Way, and the Grandora Apartments, 724 Espanola Way (Henry Hohausser, 1935). Fine Streamline Moderne Design is represented by the Penway Apartments (M.J. Nodel, 1939) at 1443 Pennsylvania Avenue, and the Billas Apartments (Roy F. France, 1935) at 1440 Euclid Avenue).
4. Meridian to Jefferson Avenues - Although now zoned multi-family (RM-60), this neighborhood still retains the appearance of a single-family residential neighborhood, for which it was originally intended. The close proximity to Flamingo Park heavily influenced this neighborhood.

The Planning Department has long recognized the unique character of Espanola Way and its exciting potential as a key element in the revitalization of southern Miami Beach.

In order to develop a more complete understanding of the street, and to organize the neighborhood for positive action, the Department encouraged the formation of the Espanola Way Task Force, a key group of Espanola Way property owners, interested citizens, residents, and civic organizations.

As a result, the City embarked on a major planning effort, including the creation of the study "Espanola Way, Renaissance of the Spanish Village." This study was a complete examination of the problems and opportunities facing Espanola Way, including vehicular and pedestrian circulation, repairs to the municipal right-of-way, lighting, private property improvements, program improvements, and economic potential. In addition, amendments to the City Ordinance were recommended to allow for certain amenities, sundries, restaurants, nightclubs, and outdoor cafes, to create an active pedestrian environment and to contribute to the financial feasibility of a rehabilitation project.

- B. Conservation Objectives: Historic Designation would serve to compliment and reinforce the efforts currently being made by the City, citizens, and property owners to revitalize the area through preservation. The City's plan Espanola Way: Renaissance of the Spanish Village outlines an ambitious program of zoning and public improvements intended to promote and guide preservation, rehabilitation, and development of new compatible uses.

Historic designation, linked with this planning program, will aid in the achievement of several important goals for the district which include:

1. to preserve its character and architectural integrity;
2. to safeguard district buildings, streetscape, and open space from unsympathetic, undesirable alteration;
3. to enable the Espanola Way District to serve as the model in a continued program to encourage and develop historic preservation opportunities throughout the City; and
4. to promote the economic viability of the hotels and businesses in the proposed district through appropriate rehabilitation, public improvements, and compatible new uses and to demonstrate the viability of preservation as a means to successful neighborhood revitalization.

#### **IV. PLANNING DEPARTMENT REVIEW**

##### **1. DISTRICT BOUNDARIES**

The Planning Department recommends the Historic Preservation Board vote in favor of the designation of the Espanola Way Historic Preservation District to be established within the following boundaries:

All properties fronting on or abutting Espanola Way, including those 4 lots on Jefferson Avenue (private street) at the western terminus of Espanola Way.

Narrowness of the right-of-way, small lot size, similar scale, setback, amenities, and the dominance of Mediterranean Revival architecture all contribute to Espanola Way's appearance as a unique and distinct entity. As stated in the Planning Department's Renaissance of the Spanish Village report, the chief revitalization opportunities on Espanola Way lie exactly in this ability to be seen and understood as a visually harmonious, recognizable district.

## 2. REVIEW STANDARDS

In accordance with Section 22-5(A)(3) of the Zoning Ordinance, the Planning Department recommends the Secretary of the Interior Standards for Rehabilitation of Historic Structures be adopted as the review stancards for buildings within the Ocean Drive/Collins Avenue Historic Preservation District.

JK:CH:cmf  
Deb-Hist Pres

1. "Espanola Way to Offer Unique Cultural Center," Miami Daily News,  
July 26, 1925
2. Marjorie M. Klein, "Street of Dreams," Miami Herald Tropic Magazine,  
8 June 1980 p. 14.
3. "Espanola Way to Offer Unique Cultural Center," Miami Daily News,  
July 26, 1925
4. IBID
5. IBID
6. IBID
7. Marjorie M. Klein, p. 14
8. "Renaissance of the Spanish Village" (Miami Beach, Florida: City of Miami Beach  
Planning Department, 1985) p. 8
9. IBID p. 9

VI 2.

BIBLIOGRAPHY

1. "Espanola Way to Offer Unique Cultural Opportunity,"  
The Miami Herald, July 26, 1925.
2. KLEIN, Marjorie M., Street of Dreams, Tropic Magazine,  
Miami Herald, June 8, 1980 pp. 12-15
3. LUMMUS, J.N. The Miracle of Miami Beach,  
Miami: Miami Post Publishing Company, 1952
4. Miami Beach, City of, Development Services Division, Unpublished.  
Building Cards
5. Miami Beach, City of, Planning Department, Espanola Way, Renaissance of the Spanish Village, March, 1985
6. Miami Beach, City of, Planning Department, Unpublished  
Historic Properties Data Base

VI

ESPANOLA WAY

**Current Zoning Districts:** C-5, RM-60

Legal Description:

Beginning at a point at the intersection of the center line of Collins Avenue and the eastern extension of the southern lot line of lot 2-B, Espanola Villas, north to the eastern extension of the northern lot line of lot 2-A, Espanola Villas, west to the rear lot line of lots 1-4 of that unnumbered tract lying west of blocks 7-A and 7-B and Espanola Way, First Addition to Espanola Villas, south to the southern lot line of lot 4 of said unnumbered tract, then east to point of beginning. More specifically, this includes lots 1-4 of that unnumbered tract lying west of Blocks 7-A and 7-B and Espanola Way, First Addition to Espanola Villas, Blocks 3-A through 7-A and 3-B through 7-B, First Addition to Espanola Villas, and Blocks 2-A and 2-B, Espanola Villas.

DEB-HIST DIS



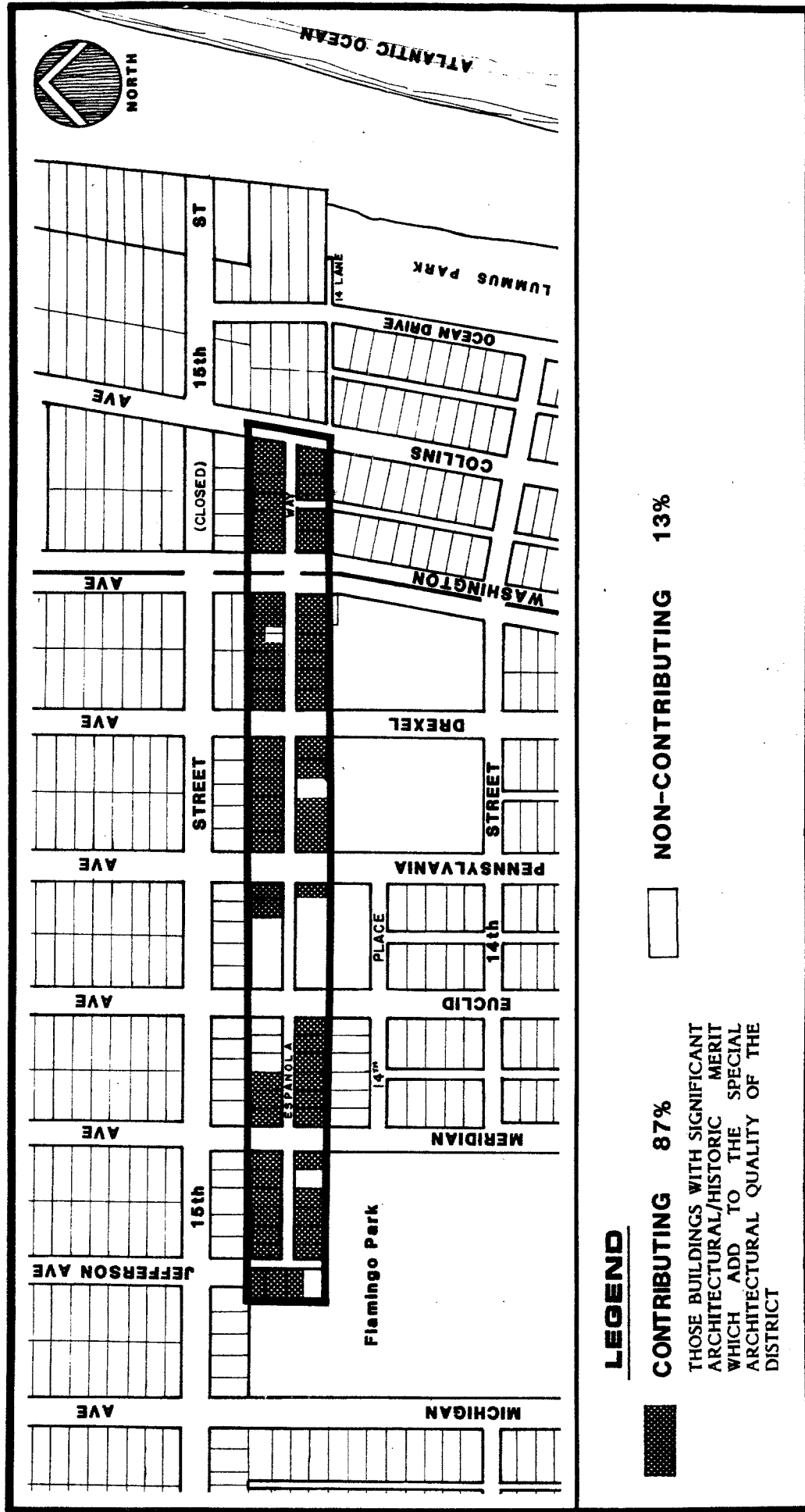
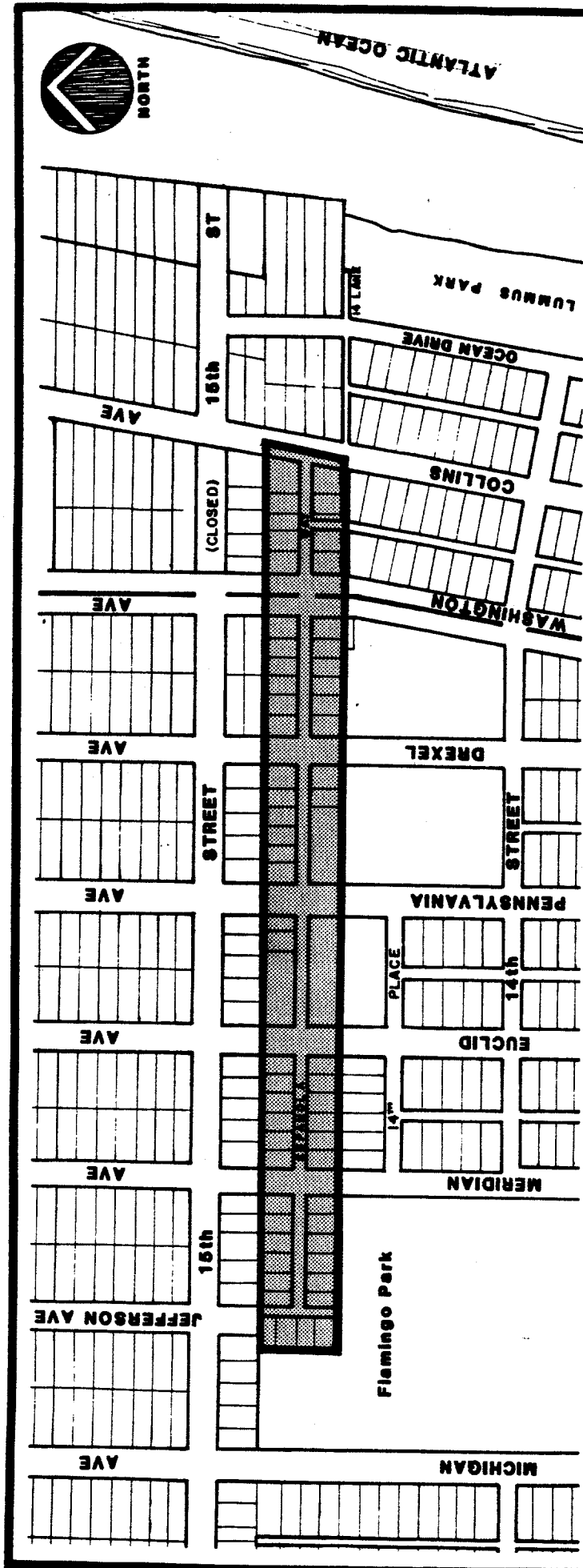


FIGURE 1



PLANNING DEPARTMENT &  
HISTORIC PRESERVATION BOARD - Proposed Espanola Way Historic District

ORDINANCE NO: 86-2511

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 1891; PROVIDING FOR AN AMENDMENT TO SECTION 3-2, CREATING A NEW DEFINITION ENTITLED "ARCHITECTURAL DISTRICT" AND "OCEAN DRIVE PLAN"; CREATING SECTION 6-22 MIXED USE ENTERTAINMENT DISTRICT WHICH IS DESIGNATED TO ENCOURAGE LOW RISE HOTEL AND APARTMENT REHABILITATION AND NEW CONSTRUCTION THAT IS CONSISTENT WITH THE "OCEAN DRIVE: A PLANNING AND URBAN DESIGN STRATEGY" AS ADOPTED BY THE CITY COMMISSION; THAT SAID REGULATIONS AFFECT PROPERTIES WITHIN AND ABUTTING THE FOLLOWING AREAS: 5TH TO 15TH STREETS ON OCEAN DRIVE, 6TH TO 16TH STREETS ON COLLINS AVENUE, AND 15TH STREET FROM OCEAN DRIVE TO COLLINS AVENUE; THAT SAID REGULATIONS INCLUDE DEVELOPMENT STANDARDS PERTAINING TO PERMITTED AND ACCESSORY USES, FLOOR AREA RATIO, DENSITY, LOT COVERAGE, PARKING, MAXIMUM PERMITTED BUILDING HEIGHT, SETBACKS; PROVIDING FOR AN AMENDMENT TO SECTION 11 PERTAINING TO SIGN REGULATIONS IN THE MIXED USE ENTERTAINMENT DISTRICT: PROVIDING FOR ALL APPLICATIONS FOR A BUILDING PERMIT BE REVIEWED BY THE DESIGN REVIEW BOARD PURSUANT TO SECTION 21 OF THE ZONING ORDINANCE; REQUIRING SIGNS, FENCES AND WALLS BE PLACED UNDER DESIGN REVIEW AND PERMITTING THE PLANNING DIRECTOR TO CONSIDER SAME PURSUANT TO THE SPECIAL REVIEW PROCEDURES; PROVIDING FOR AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP BY EXCLUDING LAND (SEE ATTACHED MAP AND LEGAL DESCRIPTION) FROM THE RM-125 MULTIPLE FAMILY HIGH DENSITY DISTRICT, AND C-PS2, GENERAL MIXED-USE COMMERCIAL PERFORMANCE STANDARD, AND INCLUDING SAME IN THE MIXED USE ENTERTAINMENT DISTRICT; PROVIDING FOR AN AMENDMENT TO SECTION 22-4, CONCERNING POWERS AND DUTIES OF THE HISTORIC PRESERVATION BOARD; PROVIDING FOR AN AMENDMENT TO SECTION 7 PERTAINING TO OFFICES IN THE RM-60 PORTION OF THE ARCHITECTURAL DISTRICT; AND AMENDING SECTION 22-5 BY DESIGNATING THE FOLLOWING AREAS AS LOCAL HISTORIC DISTRICTS: RM-60/HPD-1 PROPERTIES ABUTTING ESPANOLA WAY FROM COLLINS AVENUE TO JEFFERSON AVENUE AND MXD/HPD-2 PROPERTIES ABUTTING OCEAN DRIVE FROM 5th to 15th STREETS AND COLLINS AVENUE FROM 6th to 16th STREETS, EXCLUDING THE SOLYMAR/WHITE HOUSE PROPERTY; PROVIDING FOR INCLUSION WITHIN THE ZONING ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

Dashed Words = Deleted Language  
Underlined Words = New Language  
Sections 6 - 22 = New Language

**Section 1:** That Section 3 and Subsection 3-2 of Ordinance No. 1891 is hereby amended to read as follows:

**3-2 ARCHITECTURAL DISTRICT:** That area listed on the National Register of Historic Places, as of May 14, 1979, in accordance with the National Preservation Act of 1966 as amended and in the Florida Master Site File under number 8-DA 1048 as the "Miami Beach Architectural District".

**OCEAN DRIVE PLAN:** The document prepared by the City of Miami Beach Planning Department, adopted by the City Commission on February 6, 1985 and officially titled "Ocean Drive: A Planning and Urban Design Strategy".

**Section 2:** That Section 22, Subsection 22-4, A-5 of Ordinance No. 1891 is hereby amended to read as follows:

**22-4 HISTORIC PRESERVATION BOARD**

There is hereby created a Miami Beach Historic Preservation Board for the purposes of carrying out the provisions of this Section. The Board shall have the authority to recommend the designation of areas, places, buildings, structures, landscape features, archeological sites and other improvements or physical features as individual sites, districts or archeological zones that are significant to the City's history, architecture, archeology or culture, or possess an integrity of location, design, setting, material of workmanship in accordance with the goals of this Section.

**A. Powers and Duties - The Board shall:**

1. Recommend to the Planning Board and City Commission the designation of historic sites or districts;
2. Prepare and recommend for adoption specific guidelines for each designated site or district to be used to evaluate the appropriateness and compatibility of proposed alteration or development within designated sites or districts;
3. Issue or deny Certificates of Appropriateness and Certificates to Dig, in accordance with procedures specified in this Section;
4. Promote the preservation of historic properties by granting special incentives to property owners in accordance with law, including but not limited to transfer of development rights, floor area bonuses, special use exceptions, and by administering financial assistance, loans and grants;
5. The Historic Preservation Board shall have the authority to waive with or without conditions the parking, setback, height, signage, density and floor area ratio requirements of the underlying zoning district of those properties designated as an historic site or district, advise the Zoning Board of Adjustment with regard to variances associated with properties designated as an historic site or within a local historic district. The Board shall have the specific authority, notwithstanding any other provisions of the City Code, to grant owners: (1) a maximum of 25% increase in maximum permitted floor area ratio; (2) the right to operate accessory commercial use establishments within the designated structures. The Zoning Board of Adjustment, in consideration of the Historic Preservation Board's recommendation, shall only grant approval of #1 and #2 above to property owners in conjunction with an application for a Certificate of Appropriateness establishing that physical improvements will result in significant historic rehabilitation, renovation or preservation, approve variances when the work will result in the restoration of structures in a manner that is substantially consistent with the United States Secretary of the Interior's Standards as amended. In exercising this authority granted in this provision, the Board shall utilize the standards established in Section 17-6(A)(2) of the Ordinance.
6. The Historic Preservation Board shall have the authority to grant Certificates for Transfer of Development Rights (TDR) to property owners of individual sites or owners of properties within districts designated as an historic site or district. The exercise of this authority shall be in accordance with the criteria for Transfer of Development Rights as shall be enacted by the City Commission;
7. Facilitate the redevelopment of historic sites and districts by directing the Department of Planning to provide advisory and technical assistance to property owners, applicants for Certificates of Appropriateness and other City departments;

8. The Board shall make and prescribe by-laws and application procedures, which are reasonably necessary and appropriate for the proper administration and enforcement of the provisions of this chapter. Such rules and regulations shall conform to the provisions of this Section and shall not conflict with the Constitution and general laws of the State of Florida, the South Florida Building Code, except as provided in Section 22 of this Ordinance, and shall govern and control procedures, hearings and actions of the Board. No such rules and regulations shall become effective until a public hearing has been held upon the proposed rules and regulations and any amendments or modifications thereto, and filed with the Clerk of the Commission. The Board shall prescribe forms for use by applicants in compliance with the provisions of this Section. The Board may authorize any one of its members to administer oaths and certify to official acts.

**Section 3:** That Section 22, Subsection 22-5, C-4 of Ordinance No. 1891 is hereby amended to read as follows:

4. All sites and districts designated as historic sites and districts shall be delineated on the City's zoning map pursuant to Section 23-10(c) of this Ordinance as an Overlay District. Such sites and districts include:
- a. MU/HPS-1: Old City Hall - 1130 Washington Avenue Block 23, Ocean Beach Addition No. 3, as recorded in Plat Book 2, at page 31 of the Public Records of Dade County, Florida.
  - b. CCC/HPS-2: 21st Street Recreation Center - 2100 Washington Avenue  
Beginning at intersection of west right of way of Washington Avenue and south boundary of Collins Canal in Section 27, Range 42 east, Township 53 south, from point of beginning, then south 510 ft.; west 165 ft.; north 45 degrees to west 115 ft.; north 160 ft.; west 140 ft.; north 70 ft.; northeast along south boundary of Collins Canal, 435 ft. to point of beginning.
  - c. C-5, RM-60/HPD-1. All properties fronting or abutting Espanola Way, including all of Blocks 2-A and 2-B Espanola Villas, Blocks 3-A, 3-B, 4-A, 4-B, 5-A, 5-B, 6-A, 6-B, 7-A and 7-B, First Addition to Espanola Villas, and lots 1 - 4, a re-subdivision of that unnumbered tract lying west of Blocks 7-A and 7-B and Espanola Way in First Addition to Espanola Villas.
  - d. MXD/HPD-2: Ocean Drive from 5th to 15th Streets and Collins Avenue from 6th to 16th Streets and 15th Street from Ocean Drive to Collins Avenue, excluding the following parcels of land:

Lots 1 through 4 of Harrison & Hayes Subdivision; also,

Those portions of Lots 1 and 2, Block 77, Fishers 1st Subdivision of Alton Beach lying east of the easterly boundary of Ocean Drive; also,

That tract of land beginning at the northeast corner of Block 77, Fishers 1st Subdivision of Alton Beach thence running northeasterly 35.49', continuing the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach, thence easterly to the established bulkhead line, thence southwesterly following the established bulkhead line to the northeast corner of Lot 1, Harrison & Hayes Subdivision, thence westerly along the northerly line of Lot 1, Harrison & Hayes Subdivision to the southeast corner of Block 77, Fishers 1st Subdivision of Alton Beach, thence northeasterly 101.4' along the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach to the point of beginning.

**Section 4:** That Section 6 Subsection 6-22 of Ordinance No. 1891 is hereby created to read as follows:

**6-22 MIXED USE ENTERTAINMENT DISTRICT**

- A. District Purpose - These regulations are designed to encourage the substantial restoration of existing structures and allow for new construction in accordance with the City's guidelines as presented in the Ocean Drive Plan as adopted by the City Commission and shall substantially comply with the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended.
- B. Uses Permitted - No land, water or structure may be used, in whole or in part, except for one or more of the following permitted uses:
1. Hotel
  2. Apartment
  3. Apartment/Hotel
  4. Mixed Use buildings are only permitted on Ocean Drive between 5th and 15th Street and may have any combination of retail, office (medical or dental related offices are prohibited), dwelling or sleeping units based upon the following mandatory criteria:
    - a. The building shall be substantially rehabilitated and comply with the building, fire and design recommendations as listed in paragraph 6-22,C.
    - b. The building shall contain no more than two stories on two platted lots, unless it has a courtyard that is open to the sky, with or without a translucent roof and surrounded by a structure on all four sides. New additions within the required setback area are permitted.
    - c. The building shall contain a night club, cabaret, bar, outdoor cafe or restaurant on the ground floor and/or on the porch, if one exists. The minimum seating requirement shall not be less than required by State statutes regulating liquor licenses for businesses .
    - d. Off-street parking shall be provided for the floor space associated with offices and retail uses in compliance with the requirements of Section 9. The alternate parking provisions as listed in Section 6-22, E-4d (1-2), are not applicable for office or retail uses.
    - e. There shall be no more than one mixed use building per block.
- C. Accessory Uses - Properties having a property line on Ocean Drive from 5th to 15th Street or 15th Street between Collins Avenue and Ocean Drive, or properties on the east side of Collins Avenue from 15th to 16th Streets, shall be permitted to have accessory uses listed below only if the renovation plans for the building indicate that the entire structure shall conform to the South Florida Building Code, the the City's Minimum Housing and Commercial Properties Standards, and National Fire Prevention Administration Code. If the plans do not indicate such level of work, then accessory uses are not permitted. All construction shall be done in a manner that is substantially consistent with the design recommendations in the Ocean Drive Plan and the U.S. Secretary of Interior Standards for Rehabilitation of Historic Buildings as amended. The location of entrances, exits and signage are subject to approval by the Design Review Board and are not regulated in Section 7-2.
- I. Permitted Accessory Uses in Hotels:
- a. Those accessory uses that are customarily associated with the operation of a hotel. The amount of retail space shall not exceed 75 sq. ft. per sleeping unit;
  - b. Hotels may have offices not associated with the operation of a hotel; however, the ground floor space and porch, if one is present, shall contain one of the following: night club, restaurant, outdoor or indoor cafe. The floor space associated with offices shall not exceed 35 sq. ft. per hotel unit; Medical or dental related offices are prohibited;
  - c. Restaurants, outdoor cafes, sidewalk cafes;
  - d. Solarium, sauna, exercise studio, health club or massage service by an individual licensed by the State of Florida or other appropriate agencies;

- e. Antiques, bookstore, art/craft galleries, artist studios;
  - f. Alcohol beverage sales as per Section 14 of this Ordinance;
2. Permitted Accessory Uses in Apartment/Hotels:
- a. Apartment hotels may have the same accessory uses as hotels if a minimum of 75% of the total number of units are sleeping units; and
  - b. Accessory uses for apartment buildings as listed in Section 6-22, C-3
3. Permitted Accessory Uses In Apartment Buildings.
- a. Sundry shops shall be limited to the sale of tobacco and tobacco products, magazines, newspapers, candies, sodas, suntan oils, patent medicines, milk, bread, eggs, tea and coffee or similar items. The total aggregate floor area shall not exceed 35 sq.ft. per dwelling unit.
  - b. Restaurants, outdoor cafe, sidewalk cafes with alcoholic beverage sales or the Section 14 of this Ordinance.
  - c. Solarium, sauna, exercise studio, health club or massage service by an individual licensed by the State of Florida or other appropriate agencies;

When not addressed below, the regulation of accessory uses for properties on Collins Avenue from 6th to 15th Streets and on the west side of Collins Avenue from 15th to 16th Streets shall be pursuant to Section 7-2 and 7-3B of this Ordinance.

- 1. Offices are permitted to comprise a maximum of 50% of the floor area of the building. However, those offices that are medical or dental related are prohibited.
  - 2. The building shall be listed as a Contributing Structure on the National Register for Historic Places Nomination Form or on the Miami Beach Historic Properties Data Base as maintained in the Planning Department.
  - 3. Renovation plans for the building shall indicate that the entire structure shall conform to the South Florida Building Code, National Fire Prevention Administration Code, the City's Minimum Housing and Commercial Property Standards.
  - 4. Architectural plans shall substantially comply with the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended. This determination shall be made by the Planning Director and prior to the issuance of a building permit.
  - 5. These regulations shall only apply to existing structures. Office space located in new structures is prohibited.
  - 6. The minimum floor area of a dwelling unit shall be 400 sq. ft. while the average of all the dwelling units shall be 600 sq. ft. Sleeping units shall have at least 400 sq. ft.
  - 7. Failure to comply with each of the regulations shall automatically result in a denial of the application.
  - 8. For purposes of this section, Conditional Uses shall be considered an accessory use to hotels and reviewed pursuant to the procedures as listed in Section 7. The following are Conditional Uses: outdoor cafes, nightclubs or restaurants. Bars and cabarets are prohibited. Buildings which have Conditional Uses must comply with the South Florida Building Code, the City's Housing and Commercial Property Standards, and National Fire Prevention Administration code and the U.S. Secretary of Interior Standards for Rehabilitation of Historic Buildings as amended. The above list of Conditional Uses are not required to meet the provisions as listed in Section 7-2 and 7-3B of this Ordinance.
- D. Design Review Process - No building permit shall be issued unless the architectural plans were approved under the City's Design Review Board procedures. The decision to approve the project shall be based upon a

determination that the architectural plans comply with the criteria as set forth in Section 21 of this Ordinance, consistent with the Ocean Drive Plan and substantial compliance with the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended.

E. Development

1. Floor Area Ratio - 1.0; however, the Design Review Board may approve a development with a maximum floor area ratio of 3.0 if the project reflects an exceptional achievement in urban design based upon the design guidelines as presented in Ocean Drive Plan and the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended. The specific bonus shall be based on the below formula:

Lowest permitted F.A.R.	1.0
Architectural Elements	<u>Bonus pts up to</u>
- construct a front porch the full width of the building	0.5 pts
- design building to have the same window/floor heights as typically constructed on the street	0.5 pts
- utilize similar building materials (stucco surface, pipe railings, windows, etc.)	0.25 pts
- maintain scale and building mass, stagger height above three floors, repeat rhythm of building widths	0.5 pts
- utilize tropical landscape to reduce impact of the building	0.25 pts
Maximum permitted F.A.R.	3.0

2. Density and Lot Coverage - None

3. Minimum Floor Area Per Unit

	<u>OCEAN DRIVE</u>		<u>COLLINS AVENUE</u>	
<u>TYPE</u>	<u>MIN. SIZE</u>	<u>AVG. SIZE</u>	<u>MIN. SIZE</u>	<u>AVG. SIZE</u>
Sleeping Unit	200 s.f.	N/A	400 s.f.	N/A
Dwelling Unit	400 s.f.	600 s.f.	400 s.f.	600 s.f.

N/A = not applicable      MIN. = minimum      AVG. = average      s.f.= square foot

4. Required Parking For Primary or Accessory Uses

- a. Sleeping Unit - one (1) space per two units.
- b. Dwelling Unit - one (1) space per unit.
- c. Accessory Uses - Except for meeting rooms, conference rooms, ballrooms, banquet rooms, nightclubs or similar uses, the parking requirements shall be one-half (1/2) of the requirement as listed in Section 9 of this Ordinance. The requirement for meeting rooms, banquet rooms, conference rooms, nightclubs or similar uses shall be determined by the maximum occupancy calculation based on a standard of one (1) space per fifteen (15) square feet of available floor area for seating.
- d. If parking facilities are not provided on site, one or more of the following methods may be used to satisfy the parking requirements as listed in Section 9 of this Ordinance:



- (1) Provision of the required parking spaces may be substituted through the payment of an impact fee. The fee is based on the prevailing cost of parking decals. The impact fee formula is one decal (cost of) equals two required parking spaces. Payment shall be in the form of cash in lieu of parking decals - one space equals the cost of one decal. Funds generated in this manner shall be deposited in a City account specifically established to provide parking and related improvements in the Ocean Drive area. The first payment shall be received prior to the issuance of a building permit; however, the effective date of the first payment shall commence upon the issuance of a Certificate of Occupancy or Occupational License whichever is earlier and be valid for one (1) year. The second and subsequent payments shall be received annually on the anniversary of the date the Certificate of Occupancy or Occupational License (whichever is earlier) was received.

Funds generated in this manner shall be deposited in a City account specifically established to provide parking and related improvements in the Ocean Drive area.

- (2) A joint venture agreement with the City or a private individual in which a designated number of parking spaces in a parking facility is specifically reserved for use by the applicant. Agreements regulating privately owned parking facilities shall be approved by the City Commission. All such agreements shall be filed against the property and recorded in the Circuit Court.
- (3) Required parking may be provided on a valet basis in at-grade lots pursuant to the setback requirements as listed in paragraph 7 of this subsection.

Should alternative number one above be selected, the applicant has a two year moratorium on payments measured from the date the certificate of occupancy or certificate of use is issued. Should alternative number two or three be selected, a Certificate of Occupancy or Occupational License shall not be issued until the parking spaces are provided.

5. For purposes of Paragraph 6, 7, and 8 below, the term "Oceanfront Building or Lot" shall apply to any building or lot adjacent to the beach and having an Erosion Control Line as a property line. Any building or lot that does not have an Erosion Control Line as a property line shall be considered as a "Non-Oceanfront Building or Lot".
6. Maximum Building Height - 100 feet for non-oceanfront buildings and 150 feet for oceanfront buildings.
7. Setbacks For Non-Oceanfront Buildings
  - a. Front Yard
    - (1). Zero setback if the building is 40 ft. in height or less and includes a 20 ft. deep covered front porch running substantially the full length of the building front to be used for seating in association with indoor/outdoor cafes, bars, nightclubs, restaurants or cabarets.
    - (2) 20 ft. setback if the building does not include a front porch as described above or is greater than 40 ft. in height.
    - (3) For those buildings greater than 40 ft. in height, a one-story front porch as described in a(1) above may be constructed within the front yard setback.
  - b. Interior Side Yard shall be determined as indicated below:
    - (1) Buildings less than 40 ft. in height - each interior side yard shall be 10% of the lot width.
    - (2) Buildings greater than 40 ft. in height - each interior side yard shall be 15% of the lot width.

- (3) Side yards facing a street shall have a setback of 10% of the lot width plus 5 ft.
  - c. Rear yard - 10 ft.
  - d. Subterranean - 0 ft., for that portion of the structure below grade. Otherwise the setback shall be as indicated above.
  - e. Setback requirements for parking lots shall be provided as setforth above and not as listed in Section 10 of this Ordinance.
8. Required Setbacks For Oceanfront Buildings
- a. Front 50 ft.; however sculptures, fountains or architectural features when approved by the Design Review Board are permitted in the required front yard.
  - b. Interior side-15% of the lot width; side facing a street-15% of the lot width plus 5 ft.
  - c. Rear - as listed in Section 8-C of this Ordinance and MF-1.
  - d. Subterranean - 0 ft. for that portion of the structure below grade. Otherwise the setback shall be the same as indicated above.

Section 5: That Section 11, Subsection 11-2J of Ordinance No. 1891 is hereby created to read as follows:

**11-2J SIGNS PERMITTED IN THE MIXED USE ENTERTAINMENT DISTRICT:**

- 1. Flat and marquee signs which indicate primary or accessory uses are permitted; all other types of signage and copy is prohibited.
- 2. Flat and marquee sign regulations:
  - a. The design and copy of all signage shall be compatible with the architecture of the building and be substantially compatible with the design recommendations in the Ocean Drive Plan and the U.S. Secretary of Interior Standards for Historic Buildings as amended.
  - b. The architectural detailing of the building shall not be obscured by signage; however, this section is not intended to prevent signage on buildings where architectural elements were intended for such signage. The maximum permitted signage shall be determined by the Design Review Board, but shall not exceed the available space for signage as provided for or within the architectural detailing.
  - c. There shall be only one (1) sign per street frontage indicating the principle use and one (1) sign per street frontage indicating accessory uses.
  - d. With the exception of item 11-2, J-2b above, the maximum size of a sign indicating the presence of a principle use shall not exceed 40 sq. ft. The maximum area of accessory use signage shall not exceed one-half (½) of the size of the principle use sign.
  - e. Signs indicating the presence of office space on Collins Avenue shall be limited to one sign per street frontage with an area not exceeding 8 sq. ft. The sign shall only be permitted on the building.

Section 6: That Section 21 Subsection 21-3A of Ordinance No. 1891 is hereby amended to read as follows:

**21-3 APPLICABILITY AND EXEMPTIONS**

**A. Applicability**

All building permits pertaining to the exterior of a building or structure for new construction, alterations or additions to existing buildings, including fences, parking lots, walls and signage whether new or change of copy, within the following design review areas shall be subject to review by under the Design Review Board procedures. No building permit shall be issued without the express

written approval by the Design Review Board or as otherwise provided for in these regulations for the following areas:

1. ~~Structure or building located~~ Between the oceanfront bulkhead line and the erosion control line;
2. ~~Structure or building~~ Within the fifty (50) foot bulkhead rear yard setback for oceanfront lots;
3. ~~Structure or building~~ Within the Mixed Use Entertainment District (MXE), Marine Districts (MD) I and II, the Municipal Use (MU) District, and Convention Center (CCC) District, except for the following projects which have been either conceptually approved and submitted to the City Commission for consideration prior to the effective date of this subsection; The Convention Center Expansion, Theater of the Performing Arts (TOPA), Miami Beach Marina, South Pointe Park and Specialty Restaurant, Island View Park, Police and Justice Center, 21st Street Recreation Center and Fire Station No. 2;
4. Any City owned structure or building regardless of the zoning district classification; and,
5. ~~Any use structure or building located~~ Within a designated redevelopment area.

Section 7: That Section 21, Subsection 21-5 of Ordinance No. 1891 is hereby amended to read as follows:

21-5F SPECIAL REVIEW PROCEDURE

For minor work that is visible from a public way or work which affects the exterior of the building which is associated with alterations and additions to existing buildings; or the construction, repair or alteration of new or existing walls, at-grade parking lots, fences and signage including change of copy, the Planning Director or his designated representative, upon the written authorization of the Chairman of the Design Review Board, shall have the authority to approve, approve with conditions or deny an application on behalf of the Design Review Board. Appeal of the Planning Director's finding shall be to the Board and scheduled at the next regular meeting date.

Section 8: That Section 7 Subsection 7-3B of Ordinance No. 1891 is hereby created to read as follows:

7-3B

Professional office space as defined in paragraph one (1) below, if located on the ground floor of a building in the RM-60 portion of the Architectural District, may be considered pursuant to the Conditional Use process and guidelines:

1. Professional offices such as architect, attorney, certified public accountant, interior design. Other offices may be considered based upon the below criteria:
  - a. Number of employees
  - b. Frequency of client visits

However, medical and dental related offices are prohibited.

2. The building is listed as a Contributing Structure on the National Register for Historic Places Nomination Form or on the Miami Beach Historic Properties Data Base as maintained in the Planning Department.
3. Office space shall occupy no more than 25% of the ground floor area. Offices are not permitted elsewhere in the building.
4. Renovation plans for the building shall indicate that the entire structure shall conform to the South Florida Building Code, National Fire Prevention Administration Code, and the City's Minimum Housing and Commercial Property Standards.
5. Architectural plans shall substantially comply with the design guidelines presented in the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended.

6. These regulations shall only apply to existing structures. Office space located in new structures is prohibited.
7. The dwelling units shall have an average floor area of 600 sq. ft. and no dwelling unit shall be less than 400 sq. ft.
8. One sign indicating the presence of the accessory use shall only be permitted on the building exterior with a sign area not to exceed two (2) sq. ft.
9. The building shall occupy no more than one platted lot.
10. The parking requirements for commercial space shall be pursuant to Section 6-22, E-4 or provided on-site based upon the requirements as listed in Section 9. However, all existing parking spaces shall be retained on the lot.
11. Failure to comply with each of the regulations shall automatically result in a denial of the application.

Section 9: That Section 23, Subsection 23-10 of Zoning Ordinance No. 1891 is hereby amended to read as follows:

#### 23-10 MAPS

Designation of Zoning Districts, MF Districts, Overlay Zones on the Official Zoning Map. The Official Zoning Map shall indicate the location of Zoning Districts, MF Districts and Overlay Zones. The below table explains the symbols used for each designation:

#### A. Explanation of Symbols

##### ZONING DISTRICTS

<u>Symbol</u>	<u>Use</u>	<u>Density (U/A)</u>
RS-1	Single Family Residential	as specified
RS-2	Single Family Residential	as specified
RS-3	Single Family Residential	as specified
RS-4	Single Family Residential	as specified
RM-14	Multiple Family Low Density	14
RM-24	Multiple Family Medium Low Density	24
RM-60	Multiple Family Medium Density	60
RM-100	Multiple Family Medium High Density	100
RM-125	Multiple Family High Density	125
PUD	Planned Unit Development Res. District	as specified
C-1	Neighborhood Business	60
C-2	General Office	100
C-3	Central Business	125
C-4	Business	125
C-5	General Business	100
C-6	Intensive Commercial	-0-
RH	Hospital District	-0-
MR	Marine Recreational	-0-
MU	Municipal Use	-0-

HM	Hotel-Motel	220
CCC	Convention Center District	as specified
MD-1	Marine District	-0-
MD-II	Marine District	-0-
NH	Nursing Home District	as specified
R-PS1	Residential Medium Low	N/A
R-PS2	Residential Medium Density	N/A
R-PS3	Residential Medium High Density	N/A
R-PS4	Residential High Density	N/A
C-PS1	Commercial Limited Mixed Use	N/A
C-PS2	Commercial General Mixed Use	N/A
C-PS3	Commercial Intensive Mixed Use	N/A
C-PS4	Commercial Intensive Phased Bayside Mixed Use	N/A
<u>MXE</u>	<u>Mixed Use Entertainment District</u>	<u>N/A</u>

Note: Except as otherwise provided in Section 6-16, all city owned properties are zoned MU although they may not be designated on the map.

N/A - means not applicable

As specified - means refer to the specific zoning district for density regulations.

Section 10: That the following parcel of land (see attached map) bounded on the south by 5th Street from Ocean Drive to Ocean Court and 6th Street from Ocean Court to Collins Court, on the west by Collins Court, on the north by 16th Street, and on the east by Ocean Drive, is hereby excluded from the RM-125 Multiple Family High Density District and C-PS2, Commercial Performance Standard, and is included in the Mixed Use Entertainment District, and that the corresponding MF District regulations for this area is hereby excluded except for as provided in Section 6-22, E-8. This includes: (see attached map-references to streets, drives, and courts mean to the centerline):

All of blocks 11, 12, 13, and Lots 1 through 10 of Block 34, Lots 1 through 8 of Block 33, Lots 1 through 8 of Block 32, all in Ocean Beach Addition #1; also,

All of Blocks 14, 15, 16, 17, 18, 19, and Lots 1 through 8 of Block 31, Lots 1 through 8 of Block 30, Lots 1 through 7 of Block 29, Lots 1 through 8 of Block 28, Lots 1 through 8 of Block 27, Lots 1 through 9 of Block 26, all in Ocean Beach Addition #2; also,

Lots 1, 2, and east 17.5' of Lot 3, all less the north 8.65' of Block 2-B, and Lots 1 and 2 of Block 2-A, all in Espanola Villas Subdivision; also,

Lots 5 through 12 of Harrison & Hayes Subdivision; also,

All of Block 56, and Lots 1 through 7 of Block 57, all in Fishers 1st Subdivision of Alton Beach; also,

Lots 1 and 2 of Block 76, and that part of 15th Street closed lying north of Lots 1 and 2 of Block 76, beginning at the north east corner of Block 76, thence running westerly along the northerly line of Block 76, 155.21', then north perpendicular to the northerly line of Block 76, 145.0' to a point bisecting the eastern lot line of lot 19, Block 57, then 75.0' west, then 145.0' south, then east 230.21' back to the point of beginning; all in Fishers 1st Subdivision of Alton Beach; also,

Lots 3 and 4, and part of Lots 1 and 2 west of Ocean Drive extended Block 77, beginning at a point on the northerly line of Block 77, 116.05' east of north west corner of Block 77, thence running southerly 100' thence east 116.05' thence northerly along the westerly line of Ocean Drive 100' thence westerly along the northerly line of Block 77, 116.05' to point of beginning, all in Fishers 1st Sub. of Alton Beach; also,

Part of Lots 1 to 4 west of Ocean Drive extended Block 77, beginning at point on northerly line Block 77, 116.05' east of northwest corner Block 77, thence running southerly 100', thence east 116.05' thence northerly along westerly line Ocean Drive 100', thence westerly along northerly line Block 77, 116.05' to point of beginning; all in Fishers 1st Subdivision of Alton Beach; also,

Lots 1 through 4 of Harrison & Hayes Subdivision; also,

Those portions of Lots 1 and 2, Block 77, Fishers 1st Subdivision of Alton Beach lying east of the easterly boundary of Ocean Drive; also,

That tract of land beginning at the northeast corner of Block 77, Fishers 1st Subdivision of Alton Beach thence running northeasterly 35.49', continuing the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach, thence easterly to the established bulkhead line, thence southwesterly following the established bulkhead line to the northeast corner of Lot 1, Harrison & Hayes Subdivision, thence westerly along the northerly line of Lot 1, Harrison & Hayes Subdivision to the southeast corner of Block 77, Fishers 1st Subdivision of Alton Beach, thence northeasterly 101.4' along the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach to the point of beginning.

Section 11: INCLUSION IN ZONING ORDINANCE NO. 1891

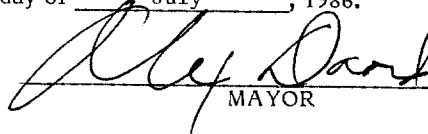
It is the intention of the City Commission, and it is hereby ordained that the provisions of the Ordinance shall become and be made a part of the City of Miami Beach Zoning Ordinance No. 1891 as amended; that the section of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

Section 12: REPEALER. All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

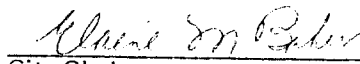
Section 13: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such hold shall not affect the validity of the remaining portions of this Ordinance.

Section 14: EFFECTIVE DATE. This Ordinance shall take effect ten (10) days after adoption, on August 2, 1986.

PASSED AND ADOPTED this 23rd day of July, 1986.

  
MAYOR

ATTEST:

  
City Clerk  
1st Reading - July 9, 1986  
2nd Reading - July 23, 1986  
RWP:JK:rw:cmf  
7/1/86  
Zoning Ord Prop.

FORM APPROVED  
LEGAL DEPT.

By M. Louis Bennett

Date 7-17-86

PLANNING BOARD SUBCOMMITTEE

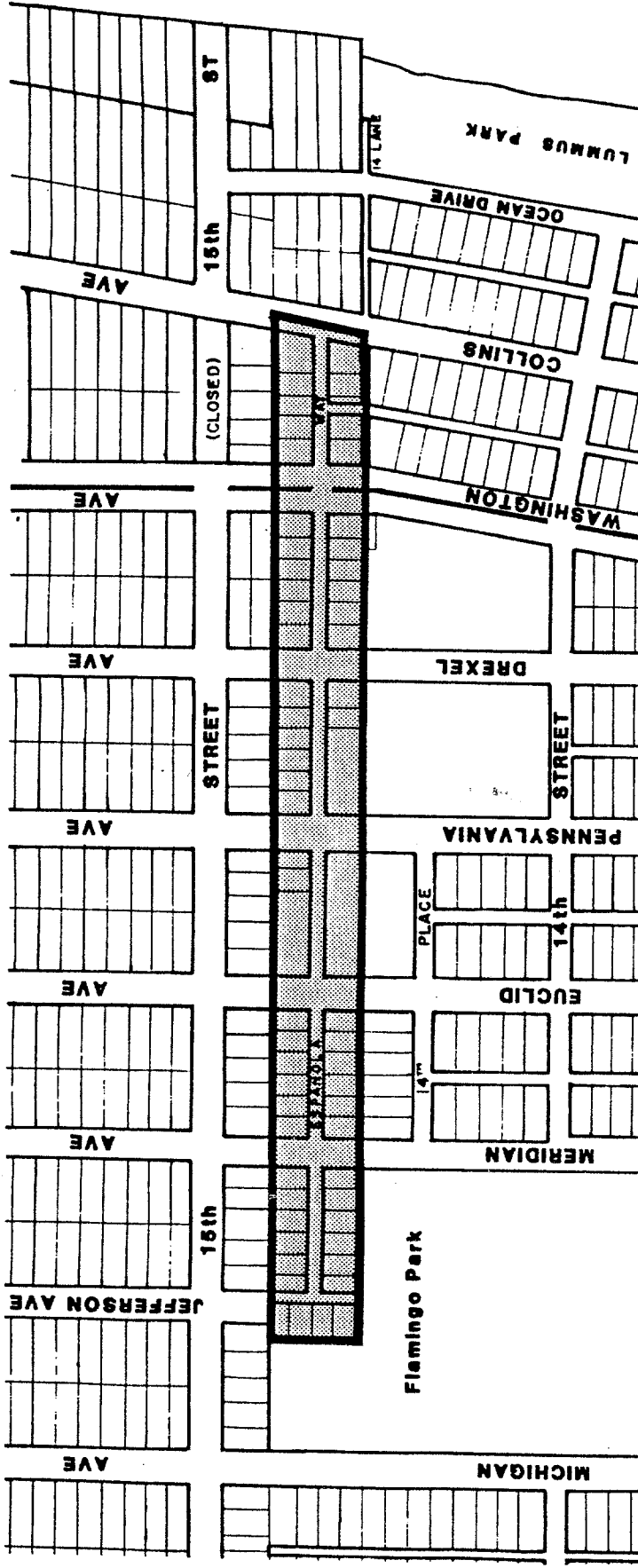
Keith Kovens  
Neisen Kasdin  
Norman Frank

HISTORIC PRESERVATION BOARD SUBCOMMITTEE

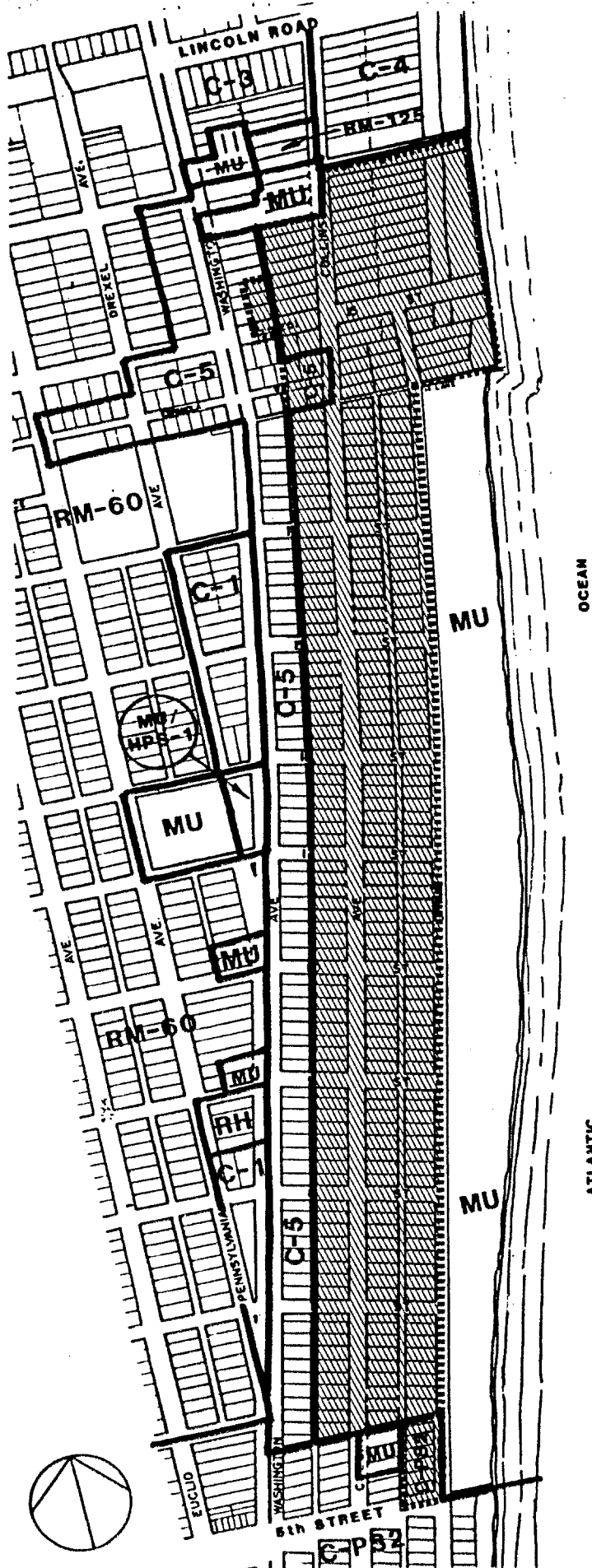
Dorris Meyers  
Nancy Liebman  
Les Beilinson

OCEAN DRIVE PROPERTY OWNERS' ASSOC.

Keith Swenson  
Jack Nomkin  
Sandra Cook



PROPOSED HISTORIC DISTRICT - C-5, RM-60 / HPD-1

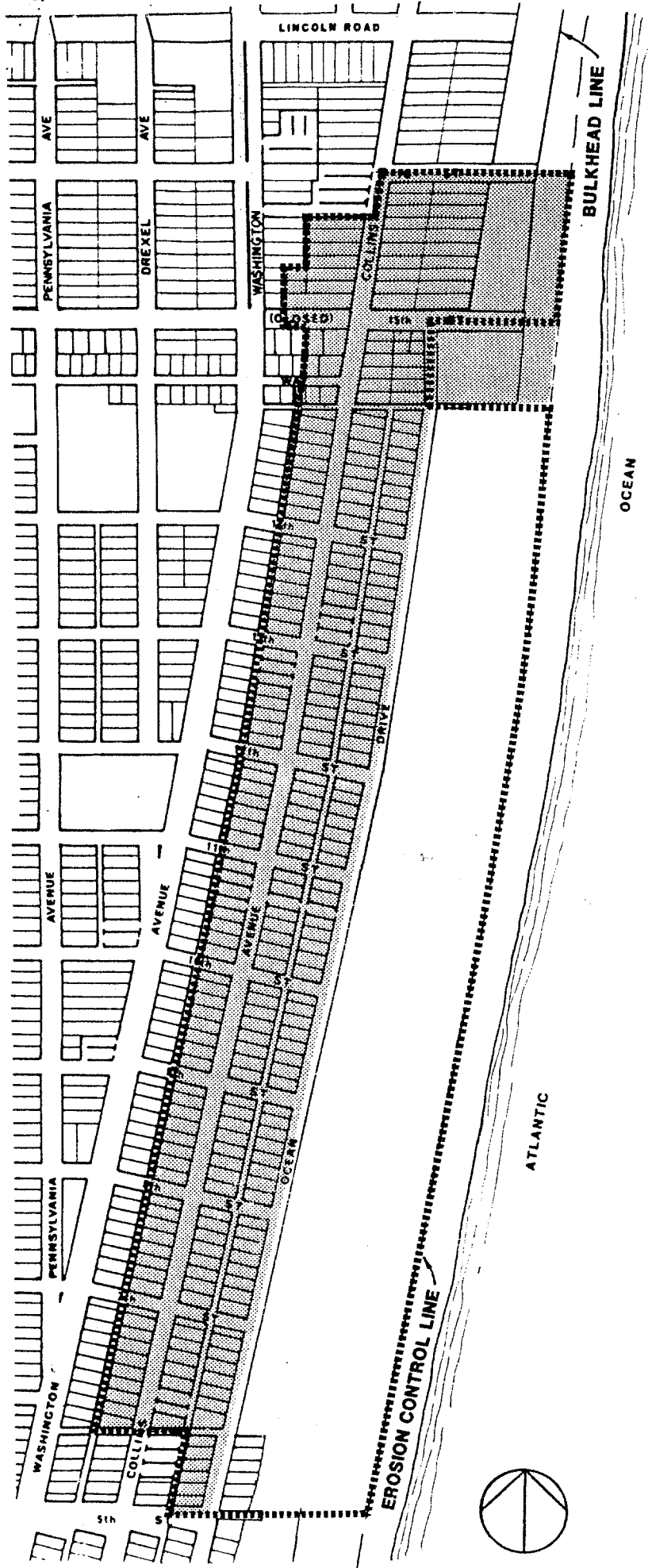


EXISTING ZONING - C-5, RM-125, C-PS2

PROPOSED ZONING - MX-E MIXED USE ENTERTAINMENT DISTRICT







PROPOSED MXE - MIXED USE ENTERTAINMENT DISTRICT

PROPOSED HPD-2 OCEAN DRIVE / COLLINS AVE  
HISTORIC DISTRICT